

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et
al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO

Debtor.

PROMESA

Title III

No. 17 BK 3283-LTS

**LIMITED OBJECTION TO AMENDED NOTICE OF PRESENTMENT OF REVISED
PROPOSED ORDER (A) AUTHORIZING ADMINISTRATIVE RECONCILIATION OF
CLAIMS, (B) APPROVING ADDITIONAL FORM OF NOTICE, AND (C) GRANTING
RELATED RELIEF**

TO THE HONORABLE COURT:

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

COMES NOW Creditor PFZ Properties, Inc., thru the undersigned legal counsel, and very respectfully STATES and PRAYS as follows:

1. PFZ Properties Inc. is a creditor in the instant case. (See EPOC 20180524134327) The nature of the claim is Eminent Domain.
2. On March 2nd, 2020 Debtors re filed Further Revised Proposed Order to include eminent domain and inverse condemnation claims in the Commonwealth's Administrative Claims Reconciliation Processes. (Docket # 11968)
3. PFZ Properties Inc. have a limited objection to the language of said Further Revised Proposed Order, to the limited effect that:
 - a) Contrary to the tax refund claims, public employee claims and the other types of claims included in the Commonwealth's Administrative Claims Reconciliation Processes, eminent domain cases are dealt with in the Commonwealth by judicial procedures exclusively.
 - b) Those judicial procedures are governed not only by Rule 58 of the Puerto Rico Rules of Civil Procedure but mainly by the Eminent Domain Act of March 12th, 1903 as amended (32 L.P.R.A. sec. 2901 et seq.)
 - c) Accordingly, and for the avoidance of doubt, both the proposed order and the proposed Administrative Claims Reconciliation Procedures should be modified to reflect those facts.
4. If so modified, PFZ Properties, Inc. has no objection to the language of either the proposed order or the proposed Administrative Claims Reconciliation Procedures

WHEREFORE, the appearing party respectfully requests that this Honorable Court take

notice of the above-mentioned limited objection, that the same be granted and that the language in the proposed order or the proposed Administrative Claims Reconciliation Procedures be modified accordingly.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico on this 9th day of March 2020.

I HEREBY CERTIFY that on this day I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will automatically send notification of such filing to all appearing parties in the above captioned bankruptcy proceeding.

/s/ DAVID CARRION BARALT
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